

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS 2014 OCT 24 AM 11: 58
DALLAS DIVISION

RALPH S. JANVEY, *et al.*,

§

DEPUTY CLERK CJ

Plaintiffs,

§

v.

§

Case No. 3:12-CV-0495-N-BG

ADAMS & REESE, LLP, *et al.*,

§

Defendants.

§

AGREED AMENDED SCHEDULING ORDER

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the Local Rules of this Court (“LR”), and the Civil Justice Expense and Delay Reduction Plan (the “Plan”) for the Northern District of Texas, the court **ORDERS** as follows:

1. This case is set for trial on August 3, 2015, and the setting is for a one week docket. Reset or continuance of the trial setting does not alter the deadlines in this order unless expressly provided by court order.

2. Plaintiffs shall be permitted leave to amend to substitute Lynette B. Frazer as a Defendant in place of Defendant Thomas Frazer pursuant to the Order granting Plaintiffs’ motion to substitute. (ECF No. 145). Absent agreement of the parties, any further amendment of the pleadings shall require a motion for leave to amend pleadings under Rule 15(a) and a showing of good cause pursuant to Rule 16(b).

3. The parties may by written agreement alter the deadlines in this paragraph without the need for court order. No continuance of trial will be granted due to agreed extensions of these deadlines. Motions may become moot due to trial if filed after the deadlines in this order.

- a. April 1, 2015 - Plaintiffs must disclose experts pursuant to Rule 26(a)(2);
- b. May 1, 2015 - Defendants must disclose experts pursuant to Rule 26(a)(2);

- c. May 15, 2015 - disclosure of rebuttal experts pursuant to Rule 26(a)(2) or supplementation with rebuttal opinions pursuant to Rule 26(e)(1);
- d. June 19, 2015 - discovery closes; discovery requests must be served in time to permit response by this date;
- e. June 19, 2015 - all motions (other than motions in limine), including any objections to expert testimony, must be filed.

4. Seeking relief from the court on discovery disputes prior to conducting a meaningful, substantive conference with the opposing party is **STRONGLY** discouraged. A motion or objection to the taking of a deposition that is filed within three business days of the notice has the effect of staying the deposition pending court order on the motion or objection; otherwise the deposition will not be stayed except by court order.

5. The parties shall file all pretrial materials on or before July 3, 2015. Failure to file pretrial materials may result in dismissal for want of prosecution. Pretrial materials shall include the following:

- a. pretrial order pursuant to LR 16.4;
- b. exhibit lists, witness lists, and deposition designations pursuant to LR 26.2 and Rule 26(a)(3); witness lists should include a brief summary of the substance of anticipated testimony (not just a designation of subject area) and an estimate of the length of direct examination; exhibit lists must include any materials to be shown to the jury, including demonstrative aids; the parties shall comply with Rule 26(a)(3) regarding objections;
- c. proposed jury charge pursuant to LR 51.1 or proposed findings of fact and conclusions of law pursuant to LR 52.1; any objections to the proposed jury charge shall be filed

within 14 days thereafter; objections not so disclosed are waived unless excused by the court for good cause;

d. motions in limine; matters that are not case-specific are strongly discouraged;

e. requested voir dire questions.

6. The final pretrial conference will be set by separate order or notice. Lead counsel must attend the pretrial conference. The court will likely impose time limitations for trial at the pretrial conference. Examination of witnesses will be limited to direct, cross, re-direct, and re-cross.

7. Any questions regarding this Scheduling Order may be directed to court's Judicial Assistant, Donna Hocker Beyer, at 214-753-2700.

SO ORDERED.

Dated: October 24, 2014.



NANCY M. KOENIG
United States Magistrate Judge